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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY ALVISO, et al.,  
Plaintiffs,  
v.  
CITY OF SAN RAFAEL,  
Defendant.

Case No. 16-cv-07056-PJH

**ORDER DENYING MOTION TO  
DISMISS AS MOOT**

Re: Dkt. No. 15

Before the court is defendant's motion to dismiss the complaint. Dkt. 15. Pursuant to Federal Rule of Civil Procedure 15(a)(1)(B), plaintiffs filed an amended complaint on February 28, 2017. Dkt. 23. As a result, defendant's motion to dismiss the original complaint is DENIED as MOOT, without prejudice to defendant filing a motion to dismiss the amended complaint. The hearing noticed for March 22 is also hereby VACATED.

**IT IS SO ORDERED.**

Dated: March 1, 2017



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PHYLLIS J. HAMILTON  
United States District Judge